



THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

July 15, 2005

2005 JUL 15 9:50

OST-2005-22114-2

The Honorable Mitchell E. Daniels, Jr.
Governor of Indiana
Indianapolis, IN 46204

Mitch:
Dear Governor Daniels:

Thank you for your letters of May 20 and June 10 regarding Indiana Senate Enrolled Act 127 (the Act) and for petitioning the U.S. Department of Transportation (DOT) to conduct hearings on the proper location of the boundary between the Eastern and Central Time Zones in Indiana.

In addition to opting to observe daylight saving time, the Act states that, "[T]he state supports the county executive of any county that seeks to change the time zone in which the county is located under the procedures established by Federal Law." The Act also provides that, "The governor and the general assembly hereby petition the United States Department of Transportation to initiate proceedings under the Uniform Time Act of 1966 to hold hearings in the appropriate locations in Indiana on the issue of the location of the boundary between the Central Time Zone and the Eastern Time Zone in Indiana." Finally, the Act requests that DOT refrain from changing the time zone of any county currently located within the Central Time Zone and five counties located within the Eastern Time Zone.

It is our normal practice, in implementing our responsibilities under the Uniform Time Act with respect to the location of time zone boundaries, to take action on specific requests for change in the time zone boundaries for a particular jurisdiction from the elected officials of that jurisdiction. After receiving a request, we then determine whether it meets the minimum statutory criteria before issuing a notice of proposed rulemaking (NPRM) to make a change.

Because of the special circumstances in Indiana as a result of the recent legislation, and in order to proceed in an orderly manner, I would propose the following actions:

- We will publish in the *Federal Register* a notice that advises the appropriate local officials in Indiana that, if they wish their county to change its current time zone, they should notify DOT of that intent, and provide us with a request containing specific data and information by a date certain.
- Our notice will set out the type of data and information necessary to justify issuing an NPRM.
- We will set the date for submission of the requests at the time we issue the notice.

Page 2

The Honorable Mitchell E. Daniels, Jr.

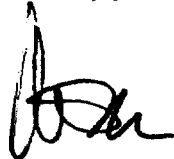
- After reviewing the requests and supporting data, we will determine which requests, if any, justify the issuance of an NPRM. Once justified, we will issue the NPRM, which will solicit public comment and will schedule public hearings. After the close of the comment period, we will review all comments and take appropriate final action.

The procedures outlined above will provide local officials with a convenient and efficient opportunity to request a change in their county's current time zone. In addition, by learning where there is interest in changing the boundary between the Eastern and Central Time Zones, DOT will be better able to address Indiana's concerns in a more targeted and timely manner.

I recognize the importance of this issue to you and to the entire State of Indiana. In this regard, we expect to hear a lively debate from Indiana's officials on the need for an NPRM and, when appropriate, from all interested parties on the location of the boundary between the Eastern and Central Time Zones. Provided that the requested submissions contain the arguments and supporting data we need to move forward under the law, we will act quickly to schedule hearings. We look forward to hearing the views of Indiana's officials and the general public on this matter.

If I can provide further information or assistance, please feel free to call me.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Norman Y. Mineta', with a stylized, cursive script.

Norman Y. Mineta

Gist, James M. <OST>

From: Pope-Trice, Karolynne <OST>
Sent: Thursday, June 23, 2005 2:48 PM
To: Gist, James M. <OST>
Subject: FW: S10-050610-008

Have you come to a decision on this one yet?

-----Original Message-----

From: Pope-Trice, Karolynne <OST>
Sent: Wednesday, June 22, 2005 2:47 PM
To: Gist, James M. <OST>
Subject: FW: S10-050610-008

For your review and Approval/disapproval

-----Original Message-----

From: Stratton, Jacqueline <OST>
Sent: Wednesday, June 22, 2005 12:16 PM
To: Pope-Trice, Karolynne <OST>
Subject: S10-050610-008

Per our conversation this morning...

Linda Lasley (C50) stated that we will not respond to this letter until we receive more information from the Governor's office regarding the sufficiency of holding just one hearing. After receiving that information, we will prepare a response confirming our agreement.

Also, Jim Ray stated that Jeff Rosen needs to discuss this matter with S1.

Can this be decontrol for now? Please let me know.

Thanks.

6-24-05
I am unclear exactly what
we are being asked to
"approve/disapprove." "Decontrol?"
What does that mean?
I spoke with Jim Ray. He
said C should be able to
have an answer/response
to us by Monday.
MS



Office of the Secretary of Transportation
Executive Secretariat

Control number: S10-050610-008

Action office: C1

Document date: 6/10/2005

Addressed to: Secretary

Writer: Mitchell E. Daniels Jr.
State House, Second Floor
Indianapolis, Indiana 46204

Subject: Suggests holding 8-10 hearings in or near population centers such as
Bloomington, Evansville, Fort Wayne, Indianapolis, Lafayette, Richmond, South
Bend, and Terre Haute.

Action: For Signature

Assigned to:	Date:	Status:
S-1/FO	7/15/2005	STAFFED

Analyst:
Ada Williams, ada.williams@ost.dot.gov

TIME SENSITIVE

TIME SENSITIVE

TIME SENSITIVE

*Mackell -
I have given
C a copy to
fax to the Gov.
pls. go ahead &
mail the orig.
Thanks!
[Signature]
(also, I
need a PDF
file attached to me
AHP)*

OFFICE OF THE SECRETARY OF TRANSPORTATION

Executive Secretariat

TIME SENSITIVE

S10-050610-008/DANIELS

S-10 Control Number

A WILLIAMS/GWINSTEAD

Analyst

Office / Name / Phone / Date	Rec. In S-10
Prepared By: C/James Ray 07/11 C/James Ray 07/15	
Reviewed by Writer-Editor, S10/GW 07/12	
Approved By: C/Rosen 07/11 C1/Rosen 07/15	07/11 07/15
Simultaneous Coordination: 07/12	
A/Turmail w/Edits 07/13 I/ Kelly w/Edits 07/14 S3/Wascom w/Edits 07/15	
Ret'd for Revision per S3, A and I Edits. 07/14	
Rec'd Revision. 07/15	
Reviewed by Executive Secretariat	
Chief, IAS:	Deputy Director:
Date:	Date:
Director:	Date:

Subject:

Suggests holding 8-10 hearings in or near population centers such as Bloomington, Evansville, Fort Wayne, Indianapolis, Lafayette, Richmond, South Bend, and Terre Haute.

Chief of Staff

Date in: 7/15/85

Date out: 7/15/85

- ☒ Cleared and Concurred - forward to S-1
- ☒ Cleared only - forward S-1
- ☐ Not Cleared
- ☐ Cleared and Concurred - forward to S-2
- ☐ Cleared only - forward to S-2
- ☐ Forward to S-2 - save for weekly review

Comments:

Autopen Approval:

Date: _____

Deputy Secretary

Date in: _____

Date out: _____

- ☐ Concurrence ☐ Nonconcurrence
- ☐ Save for weekly review

Comments:

S-10 Follow-Up

TIME SENSITIVE